

RIGHTHAVEN LLC,

Plaintiff,

V.

INDEPENDENT POLITICAL REPORT,
et al.,

Defendants.

Case No. 2:10-CV-01118-KJD-RJJ

ORDER

Plaintiff's Complaint (#1) was filed July 8, 2010. Service of the summons and complaint was executed on Defendant Charles Martin on July 9, 2010. Defendant Martin's answer was due on August 2, 2010. However, Defendant Martin has failed to answer or otherwise respond to the complaint. Therefore, Plaintiff is ordered to file a status report, motion for default judgment, or notice of voluntary dismissal as to Defendant Martin no later than November 22, 2010.

Federal Rule of Civil Procedure 4(m) requires service of summons and complaint to be made upon a defendant 120 days after the filing of the complaint. The 120 day time period for effecting service of the summons and complaint upon Defendant Independent Political Report expired no later than November 5, 2010. Plaintiff has not yet filed proof of service.

Accordingly, IT IS HEREBY ORDERED that Plaintiff shall have up to and including November 22, 2010 to file proof of service of the summons and complaint upon Defendant Independent Political Report within the allowed time. If Plaintiff fails to respond or to file proof of

1 service, the Court will dismiss the complaint without prejudice in accordance with Federal Rule of
2 Civil Procedure 4(m).

3 **IT IS SO ORDERED.**

4 DATED this 5th day of November 2010.

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Kent J. Dawson
United States District Judge
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